

Notice of Allowability**Application No.**

10/070,622

Examiner

José A Fortuna

Applicant(s)

KOHLER ET AL.

Art Unit

1731

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *Amendment filed on September 26, 2003.*
2. ☒ The allowed claim(s) is/are 1-3, 5, 6, 9-15 and 17-22.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4 <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No. <u>1003</u> . |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____. | 6 <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Richard P. Silverman on October 20, 2003.

The application has been amended as follows:

The Title has been changed to read: --Surface Finishing of Paper or Board--.

In the Claims

Claim 1 has been re-written as follows:

1. (Currently Amended) Process for the production of surface-finished paper or board (B_w), said process comprising applying to a surface of a hydrophilic paper or board sheet (B) an aqueous solution (L_w) consisting of water and a surface-finishing active ingredient (W),

in which the surface-finishing active ingredient (W) consists of

(W_1) polyethylene glycol with an average molecular weight \overline{M}_w greater than 1500 or said polyethylene glycol (W_1) and at least one further additive selected from the group consisting of a finishing additive (W_2 and/or W_3), a non-finishing additive (W_4), a non-finishing formulation additive (F), and mixtures thereof,

wherein the finishing additive (W_2 and/or W_3) is selected from the group consisting of at least one dye and/or an optical brightener (W_2), a wet strength additive (W_3), and mixtures thereof

wherein the non-finishing additive (W_4) is an agent for pH adjustment, and

wherein the wet strength additive (W_3) is selected from the group

consisting of (W_3') a crosslinkable product of formaldehyde or glyoxal

with urea or melamines, (W_3'') and mixtures thereof, and wherein the non

finishing formulation additive (F) is selected from the group consisting of

an antifoam (F_{11}), an agent for protecting against the damaging effect of

microorganisms (F_{12}) and mixtures thereof,

and, smoothing and drying said surface treated paper or board sheet through smoothing rolls.

In claim 12, line 3, the word “essentially” has been deleted.

In claim 17, line 14, “additive(F)” has been changed to --additive (F)--.

In claim 17, line 15, “additive(W_3)” has been changed to --additive (W_3)--.

In claim 20, line 10, “additive(W_3)” has been changed to --additive (W_3)--.

In claim 20, line 12, “additive(W_3)” has been changed to --additive (W_3)--.

2. The following is an examiner’s statement of reasons for allowance: the prior art does not teach the surface finishing of a paper or board as claimed. Specifically the closest prior art, Rohringer et al., does not teach the combination of the polyethylene glycol and the other

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claimed additives for treating a paper or board. Note that the claims are closed ended. See also applicants' remarks filed on August 20, 2003.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to José A Fortuna whose telephone number is 703-305-7498. The examiner can normally be reached on 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven P. Griffin can be reached on 703-308-1164. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0662.


José A Fortuna
Primary Examiner
Art Unit 1731

JAF